

COVER LETTER TO ACCOMPANY NOTICE AND ORDER FOR MARINE RECOVERY AREAS

April 4, 2012

Mr./Ms. NAME OF MRA PROPERTY OWNER  
Street  
City, State, Zip

**RE: Notice and Order – Marine Recovery Area Compliance Requirements**  
**Property located at ADDRESS**  
**Parcel Number xxxxxx-xxxx**

Dear Mr. / Ms. NAME OF MRA PROPERTY OWNER :

You are receiving this letter and enclosed Notice and Order for one or both of the following reasons:

- (a) Public Health – Seattle & King County ("Public Health") has not received an operation and maintenance/performance monitoring report for the on-site sewage system ("OSS" or "septic system") at your above-referenced property since January 1, 2011; or
- (b) Your septic system has been found to be failing, but Public Health has received no site design application for repairing or upgrading the system.

Your property is in the Vashon-Maury Island Marine Recovery Area (MRA) established under the state's Marine Recovery Area law (Chapter 70.118A RCW). The Marine Recovery Area law authorizes the inventory, inspection, and repair of on-site sewage systems in Marine Recovery Areas to ensure the systems are working properly to protect the public's health, Puget Sound water quality, and shellfish growing areas.

In accordance with the MRA law, Public Health has established an on-site sewage system management program to identify and require inspection of all septic systems in the Vashon-Maury Island MRA and require repair or upgrade of failing systems by July 1, 2012. Under the Board of Health On-Site Sewage Regulations, owners of properties in an MRA must have their septic systems inspected by a licensed OSS maintainer at least once a year. As part of the annual system inspection, the OSS maintainer submits an operation and maintenance/performance monitoring report (also called an "O&M report") to Public Health.

Public Health mailed you a formal Letter of Notice of the Marine Recovery Area requirements on or about December 5, 2012 and a Notice of Violation on or about February 23, 2012, advising you to have your septic system inspected by a licensed OSS maintainer to meet the state MRA law and local Board of Health requirements and to avoid receiving further violation notices and possible civil penalty assessments. Previously, from April 2009 to date, Public Health issued eleven mailings to MRA property owners, attended public meetings on Vashon-Maury Island, and visited MRA property owners door-to-door to provide information on the MRA law's requirements for

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septic systems. The enclosed Notice and Order extends the deadline to May 4, 2012, to have your septic system inspected and your O&M report submitted to Public Health. If a licensed OSS maintainer has inspected your septic system in 2011 or 2012, please notify Public Health as soon as possible and have your maintainer submit the O&M report without delay.

If your OSS maintainer finds your septic system is failing (or if your system has previously been identified as failing), you must have a licensed designer or professional engineer design a repair or upgrade of your septic system and submit the site design application to Public Health as soon as possible for review in order to meet the July 1, 2012 deadline under the Marine Recover law for completing repairs or upgrades of failing systems. After Public Health approves the application, you must have a licensed master installer repair or upgrade your septic system by July 1, 2012 according to the approved repair design.

Through the appeal process (described below), Public Health may agree to a date later than July 1, 2012 for completing the repair or upgrade if weather and soil conditions make it unfeasible for a licensed master installer to complete the work by July 1, but any such extension beyond the July 1 deadline will require written approval by Public Health.

Regular operation and maintenance inspections help identify any problems that may harm the environment and the public's health so that you can take steps to ensure your system is working properly. Repair or upgrade of failing systems helps reduce effluent contamination of the marine environment, including Vashon-Maury Island shellfish areas. By having your septic system regularly inspected and, if necessary, repaired or upgraded, you are doing your part to protect the public's health and the environment and participate in the restoration of important environmental and cultural resources in the Vashon-Maury Island MRA.

The King County Board of Health regulations provide that persons aggrieved by an order of the health officer may submit an appeal in writing within ten (10) days after the order has been issued. If you wish to appeal the enclosed Notice and Order, please complete and mail the enclosed Appeal Request form to the address printed on the form. After receiving a timely appeal request, Public Health will contact you to schedule an informal administrative office conference to discuss and promote efficient resolution of the issues and concerns raised in your appeal. Within approximately ten to twenty days after the administrative conference, Public Health will affirm, modify, or revoke the Notice and Order, depending on the facts and circumstances brought to our attention. Afterwards, if you are aggrieved by the outcome of an administrative conference, you will have the opportunity to take your appeal further to the King County Hearing Examiner.

Please note: in order to receive and hear your appeal, we must receive your written appeal request no later than April 20, 2012. If we do not receive a written appeal request by April 20, 2012, the Notice and Order becomes a final order and Public Health will begin charging you civil penalties at the rate of \$25 per day after July 1, 2012, until an operation and maintenance inspection of your septic system has been completed and a report filed with Public Health. In the case of a failing septic system, civil penalties begin after July 1, 2012 unless Public Health has agreed in writing to a later date for you to have the repair or upgrade of your system completed.

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To recap the deadlines:

April 20, 2012: Appeal requests must be received by Public Health by this date.

May 4, 2012: Deadline for your OSS maintainer to complete the operation and maintenance/performance monitoring inspection and submit the O&M report to Public Health.

July 1, 2012: Deadline for completing repairs or upgrades of failing septic systems.

Lists of septic system professionals (OSS designers, installers, and maintainers) are linked on Public Health's website at <http://www.kingcounty.gov/healthservices/health/ehs/wastewater/pros/list.aspx>.

Thank you for your attention to this matter. If you have any questions about operation and maintenance inspections and reports, or anything else in this letter, please contact me at (206) 296-9753 or [greg.bishop@kingcounty.gov](mailto:greg.bishop@kingcounty.gov).

Sincerely,

Greg Bishop  
Supervisor, Wastewater Program  
Environmental Health Services Division, Eastgate Public Health Center

Enclosures: Notice and Order  
Appeal Request Form  
Information Sheet: "Septic System Care Begins With You"